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FROM: Winston Hsu, PATENT AGENT, REG. NO. : 41,526

SERIAL NO.: 09/683,729

ATTORNEY DOCKET NO.: CEIP0037USA

**SUBJECT: Reply Brief in response to the Examiner's
Answer mailed 02/24/2004**

TOTAL PAGES: 8 PAGES (INCLUDING COVER PAGE)

Winston Hsu 2004/04/23

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APPLICATION NUMBER: 09/683,729

PAPERS INCLUDED:

(1) Transmittal Form	1 PAGE
(2) Fee Transmittal	1 PAGE
(3) Reply Brief	4 PAGES

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/683,729	
	Filing Date	02/07/2002	
	First Named Inventor	Wen-Sung Tsai	
	Art Unit	2672	
	Examiner Name	Luu, Matthew	
Total Number of Pages in This Submission	6	Attorney Docket Number	CEIP0037USA

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Firm or Individual name	Winston Hsu, Reg. No.: 41,526
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Date	4/23/2004

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**FEE TRANSMITTAL
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Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT**

(\$ 0.00)

Complete if Known

Application Number	09/683,729
Filing Date	02/07/2002
First Named Inventor	Wen-Sung Tsai
Examiner Name	Luu, Matthew
Art Unit	2672
Attorney Docket No.	CEIP0037USA

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Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 285	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 0.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims Fee from below Fee Paid

Total Claims - 20** = X =

Independent Claims - 3** = X =

Multiple Dependent =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

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SUBMITTED BY

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Date

4/23/2004

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#131 Reply Brief
4/20/04
K. P. H. H. H.
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED
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APR 23 2004

OFFICIAL

5 Applicant: Wen-Sung Tsai Examiner: Lun, Matthew
Filing Date: 02/07/2002 Art Unit: 2672
Serial No.: 09/683,729 Docket No.: CEIP0037USA

10 Title: Display Device Capable of Dynamically Compensating Effect of
Environmental Light

To: Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

15 Subject: Reply Brief

REPLY BRIEF

20 This is a Reply Brief in accordance with 37 C.F.R. 1.193 in response to the
Examiner's Answer mailed 02/24/2004.

Remarks

25 Re: Arguments Against the References Individually

The appellant understands that the rejection being appealed is an obviousness
type rejection. However, regardless of whether the previously filed arguments made
concerning Issue 1 are actually deemed to attack the references individually, the
30 appellant maintains that attacking references individually is a way of showing that the
references are incompatible or are from well-removed arts.

Re: Meaning of Limitation of "a plurality of sensors for detecting different colors of ambient light"

5 The appellant understands the examiner's interpretation of the limitation characterized as "*broad*", and specifically, the examiner's interpretation of the word "different". However, the appellant argues that such interpretation renders the word "different" meaningless.

10 Light sensors, photodiodes, and like devices are commonly sensitive to a range of wavelengths peaking about a listed wavelength (color). Naturally, color and wavelength are continuous, and the appellant is unaware of any sensor that can measure a *single* discrete wavelength. Any device, no matter how discriminating, would be subject to tolerances, yielding a range of wavelengths no matter how small. And so, in accordance with the examiner's interpretation of "different", a single
15 device can indeed be said to measure different colors of light. Yet, since light sensors are inherently sensitive to a range of wavelengths, interpreting "different" in this way is not meaningful.

20 The appellant argues that any meaningful interpretation of the word "different" causes the recited limitation of "a plurality of sensors for detecting different colors of ambient light" to read as *a plurality of sensors each for detecting a different color of ambient light* or *a plurality of sensors each for detecting a different color range of ambient light*.

25 Re: Reasons for Combining the Hirose Reference with the Hanson Reference

The examiner has chosen to interpret Hirose et al. in US 5,032,828 ("Hirose") as teaching two sensors 16a and 16b by stating "Hirose discloses (Figs.2-4) a plurality of different colors light sensors (16a and 16b)" (page 4, Examiner's Answer). However,
30 the appellant disagrees with such a selective interpretation and argues that Hirose effectively teaches one sensor made up of two mutually dependent sub-sensors because

1) the sensors 16a and 16b are in very close proximity (photodiode 16 of Fig.1 and the circuit diagram of Fig.2 suggest a proximity smaller than the order of millimeters), and

5

2) significant signal processing by the CRT drive circuit 18 (controller) only occurs after the outputs of the sensors 16a and 16b have been merged into one signal by the color hue controlling circuit 17.

10 For these reasons, the appellant argues that the sensors 16a and 16b are a single sensor device sensitive to a color of light or color hue (see col. 3 lines 21-23) set by the color hue controlling circuit 17.

15 In contrast, the appealed claim 6 recites *a plurality of sensors and their plurality of detecting signals* on which the controller acts. That is, each sensor outputs a detecting signal to the controller which adjusts color levels of the picture image displayed on the screen according to these detecting signals. Hirose's controller (CRT drive circuit 18) does not act on a plurality of signals, further supporting the argument that Hirose effectively teaches only one sensor.

20

With Hirose teaching only one sensor sensitive to one color, the claim 6 limitation of "a plurality of sensors for detecting different colors of ambient light" is not fairly suggested by the cited art.

25 *Summary*

Given the additional arguments above and in view of the previously filed arguments, the appellant maintains that the rejection should be overturned.

30

Sincerely,

5 Winston Hsu
Winston Hsu, Patent Agent No. 41,526

Date: 4/23/2004

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